

Practitioner's Docket No. 1941/172

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Martin Zimmerling, Claude Jolly

Application No.: 10/726,066

Group No.: 3762

Filed: 12/02/2003

Examiner: Not yet assigned

For: Fluid Switch Controlled Trans-cutaneously Via a Magnetic Force

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**

☒ with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***

☐ as "Express Mail Post Office to Addressee"

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**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_ - \_\_\_\_\_

  
Signature

Date: August 16, 2004

Elizabeth P. Morano

\_\_\_\_\_  
*(type or print name of person certifying)*

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	33	— 33	= 0	x \$ 9.00	= \$	0.00	
INDEP.	2	— 3	= 0	x \$ 43.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00	
TOTAL ADDIT. FEE					\$	0.00	

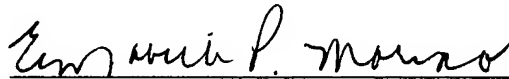
No additional fee for claims is required.

### FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: August 16, 2004



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Application Serial No. 10/726,066

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Zimmerling et al. Att'y Docket: 1941/172  
App. No.: 10/726,066 Art Unit: 3762  
Filing Date: December 2, 2003 Examiner: Not Assigned  
For: FLUID SWITCH CONTROLLED Date: August 16, 2004  
TRANS-CUTANEOUSLY VIA  
A MAGNETIC FORCE

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**CERTIFICATE OF MAILING**

I hereby certify that this document, along with any other papers referred to as being attached or enclosed, is being deposited with the United States Postal First Class Mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **August 16, 2004**.

Elizabeth P. Morano

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT**

Dear Sir:

Please amend the above-identified application as follows:

**Amendments to the Drawings** are reflected in the replacement sheets enclosed herewith as formal drawings.

**Amendments to the Description** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.

**Conclusion** begins on page 6 of this paper.

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